

REMARKS

In the Office Action the Examiner objected to the specification for an informality, rejected claims 18-21 and 23-27 under 35 U.S.C. 112, second paragraph, for being indefinite, rejected claims 18 and 22 under 35 U.S.C. 101 for being directed to non-statutory subject matter, and rejected claims 1-27 under 35 U.S.C. 103 for being obvious. Claims 1-27 remain in the application.

The objection to the specification has been addressed by amending the specification in the manner suggested by the Examiner.

The rejection of claims 18-21 and 23-27 for being indefinite has been obviated by amending the claims so that the dependent claims are consistent with the independent claim on which they depend and the independent claim, claim 18, is consistent with itself.

The rejection of claims 18 and 22 for being directed to non-statutory subject has been obviated by amendment so that these claims are clearly directed to statutory subject matter.

The rejection of the claims for obviousness was based in all cases at least on Araki and Reise and in some cases further on one or both of Lesmeister and Fusco. Applicants submit that this rejection is improper at least because Reise has been misapplied. Reise describes CPU opcodes which are not generally applicable for use as tester opcodes. CPU Opcodes address issues of software verification, for example, whereas a tester is a piece of hardware in which special function are invoked with the use of tester opcodes. Reise does not relate to testers so the opcodes described in Reise are not relevant to Araki. The combination of Araki and Reise therefore is not at all appropriate. And certainly there is neither an incentive to make such a combination provided by either Araki or Reise nor a basis for believing that such a combination would even work.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.


Applicants believe the application is in condition for allowance which action is respectfully solicited. Please contact the below-signed if there are any issues regarding this communication or otherwise concerning the current application.

Respectfully submitted,

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